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ABSTRACT

This lesson offers historical background on federal Indian policy from 1870 to 1900, focusing on the Dawes Act of 1887 (with two resources). It provides four primary source documents, including maps of Indian Territory (Oklahoma) and Will Roger's application for enrollment in the Five Civilized Tribes. The lesson relates to the powers granted to the U.S. Congress in Article I, Section 8, of the Constitution, related to making laws. The lesson correlates to the National History Standards and to the National Standards for Civics and Government. It suggests teaching activities for implementation in the classroom, such as brainstorming, map analysis and comparison, class discussion, document analysis, creative writing, artistic interpretation, and student research projects. Appended are the primary source documents and a map analysis worksheet. (BT)

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THE CONSTITUTION COMMUNITY

The Development of the Industrial United States (1870-1900)

Maps of Indian Territory, the Dawes Act, and Will Rogers' Enrollment Case File

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http://www.nara.gov/education/classrm.html

2000

The Constitution Community is a partnership between classroom teachers and education specialists from the National Archives and Records Administration. We are developing lessons and activities that address constitutional issues, correlate to national academic standards, and encourage the analysis of primary source documents. The lessons that have been developed are arranged according to historical era.

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Maps of Indian Territory, the Dawes Act, and Will Rogers' Enrollment Case File

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I.T., October 22, 1900.

Constitutional Connection

This lesson relates to the powers granted to Congress in Article I, Section 8, of the Constitution, related to making laws.

This lesson correlates to the National History Standards.

Era 6 -The development of the Industrial United States (1870 - 1900)

- **Standard 4A** -Demonstrate understanding of various perspectives on federal Indian policy, westward expansion, and the resulting struggles.

This lesson correlates to the National Standards for Civics and Government.

Standard III.B.1 -Evaluate, take, and defend positions on issues regarding the purposes, organization, and functions of the institutions of the national government.

Standard III.B.2 -Evaluate, take, and defend positions on issues regarding the major responsibilities of the national government for domestic and foreign policy.

Standard V.B.4 -Evaluate, take, and defend positions on the relationships among personal, political, and economic rights.

Cross-curricular Connections

Share this exercise with your history, government, global studies, and music colleagues.

List of Documents

1. Map of Indian Territory (Oklahoma), 1885

2. Map of Indian Territory (Oklahoma), 1891

3. Testimony of Clement V. Rogers, October 22, 1900, from Will Rogers's application for enrollment in the Five Civilized Tribes

4. Application for Allotment and Homestead from Will Rogers's application for enrollment in the Five Civilized Tribes

Historical Background

Federal Indian policy during the period from 1870 to 1900 marked a departure from earlier policies that were dominated by removal, treaties, reservations, and even war. The new policy focused specifically on breaking up reservations by granting land allotments to individual Native Americans. Very sincere individuals reasoned that if a person adopted white clothing and ways, and was responsible for his own farm, he would gradually drop his Indianess and be assimilated into the population. Then there would be no more necessity for the government to oversee Indian welfare in the paternalistic way it had been obligated to do, or provide meagre annuities that seemed to keep the Indian in a subservient and poverty stricken position.

On February 8, 1887, Congress passed the Dawes Act, named for its author, Senator Henry Dawes of Massachusetts. Also known as the General Allotment Act, the law allowed for the president to break up reservation land, which was held in common by the members of a tribe, into small allotments to be parceled out to individuals. Thus, Native Americans registering on a tribal "roll" were granted allotments of reservation land. Each head of family would receive one-quarter of a section (120 acres); each single person over 18 or orphan child under 18 would receive one-eighth of a section (60 acres); and other single persons under 18 would receive one-sixteenth of a section (30 acres).

Section 8 of the act specified groups that were to be exempt from the law. It stated that "the provisions of this act shall not extend to the territory occupied by the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, and Osage, Miamies and Peorias, and Sacs and Foxes, in the Indian Territory, nor to any of the reservations of the Seneca Nation of New York Indians in the State of New York, nor to that strip of territory in the State of Nebraska adjoining the Sioux Nation on the south."

Subsequent events, however, extended the act's provisions to these groups as well. In 1893, President Grover Cleveland appointed the Dawes Commission to negotiate with the Cherokees, Creeks, Choctaws, Chickasaws, and Seminoles, who were known as the Five Civilized Tribes. As a result of these negotiations, several acts were passed that allotted a share of common property to members of the Five Civilized Tribes in exchange for abolishing their tribal governments and recognizing state and federal laws.

In order to receive the allotted land, members were to enroll with the Bureau of Indian Affairs. Once enrolled, the individual's name went on the "Dawes rolls." This process assisted the BIA and the secretary of the interior in determining the eligibility of individual members for land distribution.

The purpose of the Dawes Act and the subsequent acts that extended its initial provisions was purportedly to protect Indian property rights, particularly during the land rushes of the 1890s, but in many instances the results were vastly different. The land allotted to the Indians included desert or near-desert lands unsuitable for farming. In addition, the techniques of self-sufficient farming were much different from their tribal way of life. Many Indians did not want to take up agriculture, and those who did want to farm could not afford the tools, animals, seed, and other supplies necessary to get started. There were also problems with inheritance. Often young children inherited allotments that they could not farm because they had been sent away to boarding schools. Multiple heirs also caused a problem; when several people inherited an allotment, the size of the holdings became too small for efficient farming.

The documents featured here include maps of Indian Territory before and after enactment of the Dawes Act and two documents from the 21-page enrollment application of American humorist Will Rogers.

Resources

The Dawes Act or General Allotment Act of 1887. U.S. Statutes at Large 24:388-91 (Available on-line from California State University - San Marcos at http://www.csusm.edu/projects/nadp/adawes.htm).

Kelly, Lawrence C. *Federal Indian Policy* . New York: Chelsea House Publishers, 1990.

Teaching Activities

Brainstorming/ Group Discussion

1. Discuss with students their idea of "home." Ask students the following questions: What aromas, feelings, thoughts, and images come to mind? Is the "home" that you are envisioning the physical place where you reside currently? Why or why not? For some students, "home" may be a hangout with friends or a former residence in another town, state, or country. Some students have never moved and cannot imagine living anywhere else. Discuss with these students the idea of being homesick or being happy to be home after a long vacation. Explain to students that this lesson relates to a law that had a dramatic effect on "home" for thousands of Native Americans.

Map Analysis and Comparison

2. Divide students into small groups of three to four, and photocopy and distribute copies of the maps of Indian Territory (Oklahoma) 1885 and 1891 and the Map Analysis Worksheet . Groups should analyze one map at a time, first the 1885 map, then the 1891 map. After they have completed the analysis sheets, direct them to compare the two maps and answer the following questions in their small groups:

a. List the different names that are found on the maps. Where do you think these names come from? What do you think they mean?
b. Compare the two maps. What differences do you find? Use a ruler or a scale to compare distances and sizes.
c. How had the area changed in the years between the two maps, 1885 and 1891?
d. How can you account for the differences?
e. How do you think the people living there felt about these changes?
f. Why do you think some groups remained while others did not?

After the groups have completed the assignment, review their responses and discuss any questions that they raise. Record their questions on a piece of large poster board to refer to or explore later. Ask students to read their textbooks to find information about the purpose for establishing reservations. Instruct students, working in their groups, to list reasons for and against setting aside communal land for tribes. Ask students what problems they think would result from this federal policy.

Class Discussion

3. Read aloud to students Section 8 of the Dawes Act <http://www.csusm.edu/nadp/adawes.htm> and ask students to raise their hands each time they hear the name of a tribe that was mentioned on the 1891 map . Direct students to look at a present-day map of Oklahoma and compare it to the 1891 map. Ask students to predict what happened after passage of the Dawes Act that ultimately reduced the land holdings of the Five Civilized Tribes. Present students with information from the historical background essay, ask them to share any additional information they found in their textbooks, and use the information to answer the questions recorded on the posterboard in Activity 2.

Document Analysis

4. After explaining to students that the Dawes Act prompted the changes they saw in the two maps that they compared and that subsequent acts help explain why a present-day map of Oklahoma looks much different from the 1891 map, divide students into small groups. Copy and distribute documents 3 and 4 , the Testimony of Clement V. Rogers and the Application for Allotment and Homestead of Will Rogers, to each group. Inform students that these two documents come from the 21-page enrollment case file <http://www.nara.gov/nara/EXTRA/wrdawes.html> of Will Rogers, the American humorist. Ask student groups to study the documents and list the information the Bureau

of Indian Affairs required of each applicant. Ask a volunteer from each group to present the group's list to the class.

Creative Writing

5. After analyzing the Rogers documents, instruct each student to create one of the following:

a. a dialogue between Will Rogers and his father discussing allotment and the process for applying.
b. a letter from a government official replying to Rogers's requests.
c. a contemporary newspaper article on the Dawes Allotment Act.
d. a poem from the perspective of an Indian indicating why the Indians want their tribal land to remain communal property or why they approve of the allotment process.

Artistic Interpretation

6. Locate the music and lyrics of "Don't Drink the Water" from the Dave Matthews Band album "Before These Crowded Streets." Distribute copies of the lyrics to the students and play the song for the class. While the song is playing, instruct students to underline powerful lines or draw images that come to mind for each verse. After the song is over, ask volunteers to describe the images that came to mind. Discuss the meaning of the song and the historical comparison to the Dawes Allotment Act and the Rogers case file. Instruct students to find other examples of songs, movie clips, or art works that reflect the Indians' struggle for land and their way of life during U. S. history. Students should present their selections to the class and explain why they chose them.

Research

7. Direct students to select an existing reservation in the United States, research its history, and determine the circumstances that allowed it to continue to exist throughout periods of varying federal policies. Ask students to report their findings in the form of a newspaper feature story.

8. Direct students to select a traditional society that exists in the world today. Possibilities include the Yanomamo (Brazil/ Venezuela), Aboriginies (Australia), Tarahumara (Mexico), Mbutu (Africa), and Amish (United States). Instruct students to find out where the group lives, its population statistics, and what its culture is like. Ask students to create a five-entry journal as if they were staying with and studying their selected group. Explain that their entries should include the information found during their research and should describe the relationship that exists between their group and its modern neighbors or society.

The maps included in this project are from Record Group 49, Records of the General Land Office. They are available online through the National Archives Information Locator (NAIL) <http://www.nara.gov/nara/nail.html> database, control numbers

NWDC-49-STP-IT1885 and NWDC-49-STP-IT1885. The two textual documents come from Record Group 75, Records of the Bureau of Indian Affairs. The entire case file is available online at http://www.nara.gov/nara/EXTRA/wrdawes.html . NAIL is a searchable database that contains information about a wide variety of NARA holdings across the country. You can use NAIL to search record descriptions by keywords or topics and retrieve digital copies of selected textual documents, photographs, maps, and sound recordings related to thousands of topics.

This article was written by Kerry C. Kelly, a teacher at Hunterdon Central Regional High School in Flemington, NJ.

Map Analysis Worksheet

1. TYPE OF MAP (check one):

____ Raised relief map
____ Topographic map
____ Political map
____ Contour-line map
____ Natural resource map
____ Military map
____ Bird's-eye view
____ Artifact map
____ Satellite photograph/mosaic
____ Pictograph
____ Weather map
____ Other ( )

2. PHYSICAL QUALITIES OF THE MAP (check one or more):

____ Compass
____ Handwritten
____ Date
____ Notations
____ Scale
____ Name of mapmaker
____ Title
____ Legend (key)
____ Other

3. DATE OF MAP: _____

4. CREATOR OF MAP: _____

5. WHERE WAS THE MAP PRODUCED? _____

6. MAP INFORMATION
A. List three things in this map that you think are important:

1. _____
2. _____
3. _____

B. Why do you think this map was drawn?

_____

_____

C. What evidence in the map suggests why is was drawn?

_____

_____

D. What information does the map add to the textbook's account of this event?

_____

_____

E. Does the information in this map support or contradict information that you have read about this event? Explain.

_____

_____

F. Write a question to the mapmaker that is left unanswered by this map.

_____

_____

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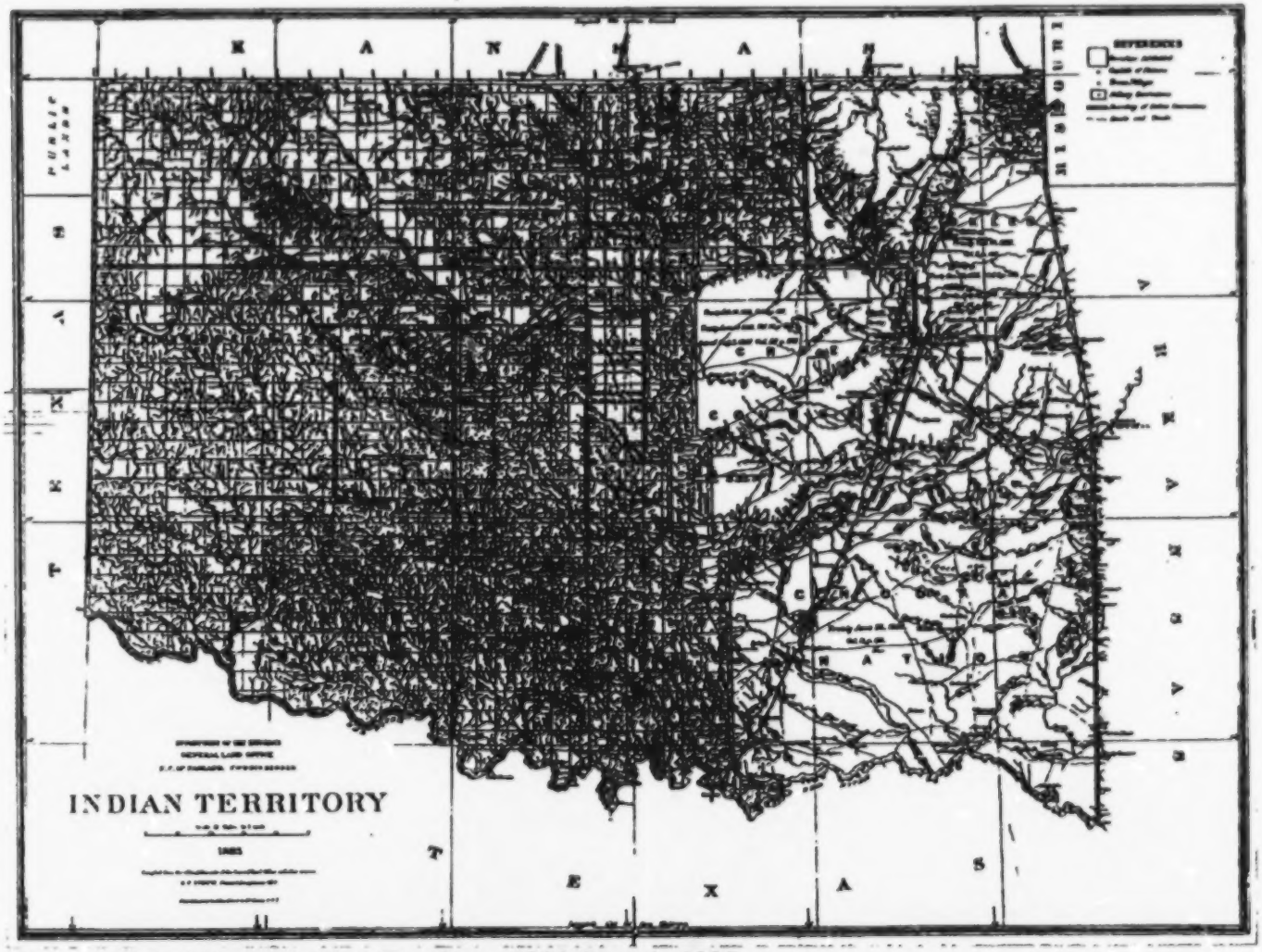

Document 1: Map of Indian Territory (Oklahoma), 1885

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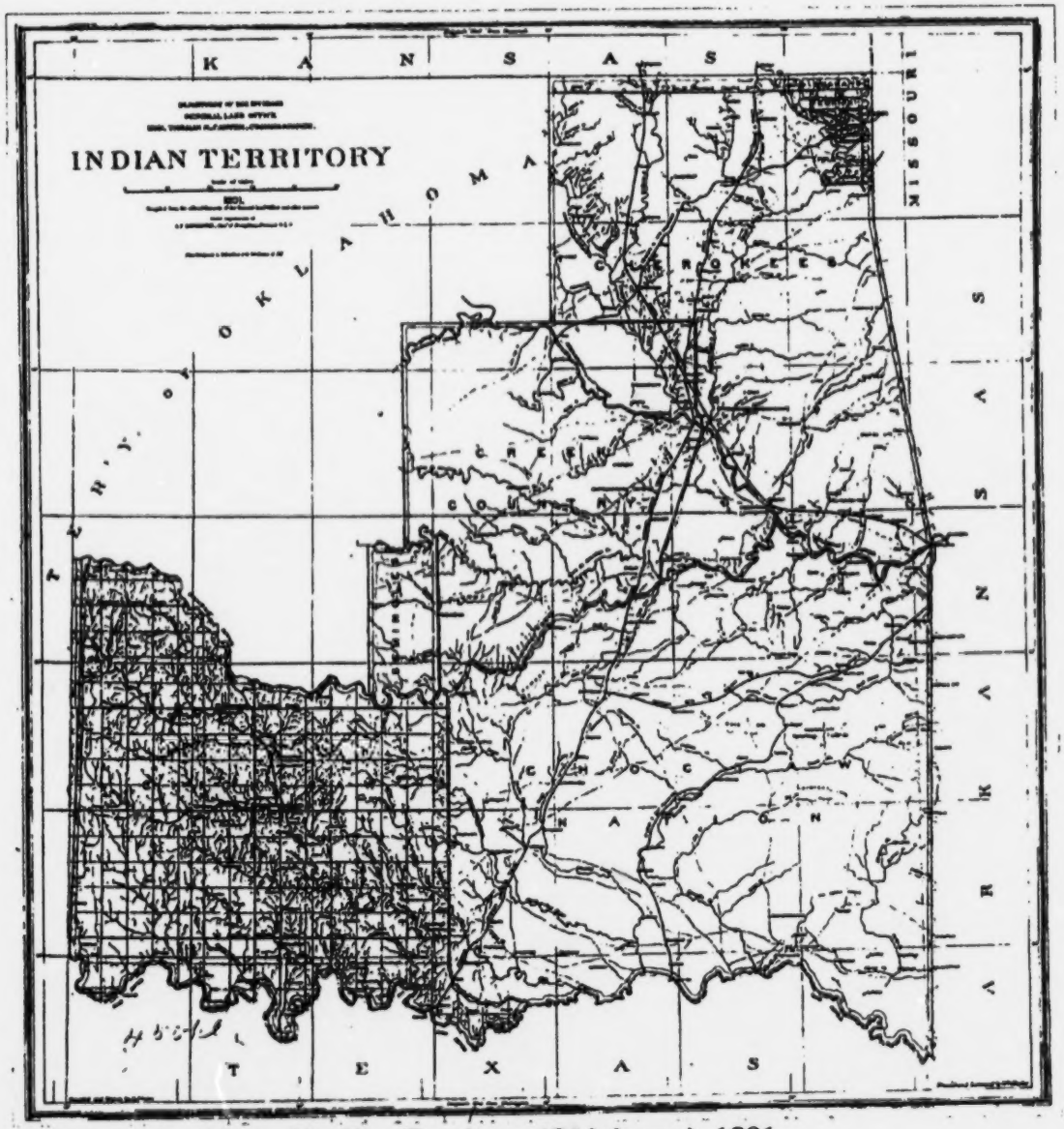

Document 2: Map of Indian Territory (Oklahoma), 1891

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Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I.T., October 22, 1900.

In the matter of the application of Clement V. Rogers for the enrollment of himself and child as Cherokees by blood; being sworn and examined by Commissioner Breckinridge, he testified as follows:

Q Give me your full name? A Clement V. Rogers.
Q How old are you? A 61 years old last January
Q What is your post office? A Claremore.
Q You live in Cooweescoowee district do you? A Yes, sir.
Q Who is it you want to have enrolled?m A Myself and son.
Q Are you a Cherokee by blood? A Yes, sir.
Q How long have you lived in the Cherokee Nation? A I was born here.
Q Lived here all your life? A Yes, sir.
Q What is the name of your son? A William P. Rogers.
Q How old is he? A He will be 21 on the 4th of next month.
(Clement V. Rogers on 1880 roll, page 161, No. 2331, Clem V. Rogers, Cooweescoowee district. William P. Rogers on 1880 roll, page 161, No. 2337, Col. W. P. Rogers, Cooweescoowee district. Clement V. Rogers on 1896 roll, page 244, No. 4093, Clem V. Rogers, Cooweescoowee dist. William P. Rogers on 1896 roll, page 244, No. 4094, Wm. P. Rogers, Cooweescoowee district.)
Q Your son is living at this time is he? A Yes, sir.

The applicant applies for the enrollment of himself and one child. He is identified on the rolls of 1880 and 1896 as a native Cherokee. He has lived in the Cherokee Nation all his life, and he will be listed for enrollment as a Cherokee by blood. His son, still a minor, is identified on the rolls of 1880 and 1896, he is living now, and will be listed for enrollment as a Cherokee by blood.

—o—

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof..

Bruce C. Jones

Sworn to and subscribed before me this the 23rd of October, 1900.

C. A. Breckinridge

Commissioner.

Document 3: Testimony of Clement V. Rogers, October 22, 1900, from Will Rogers's application for enrollment in the Five Civilized Tribes

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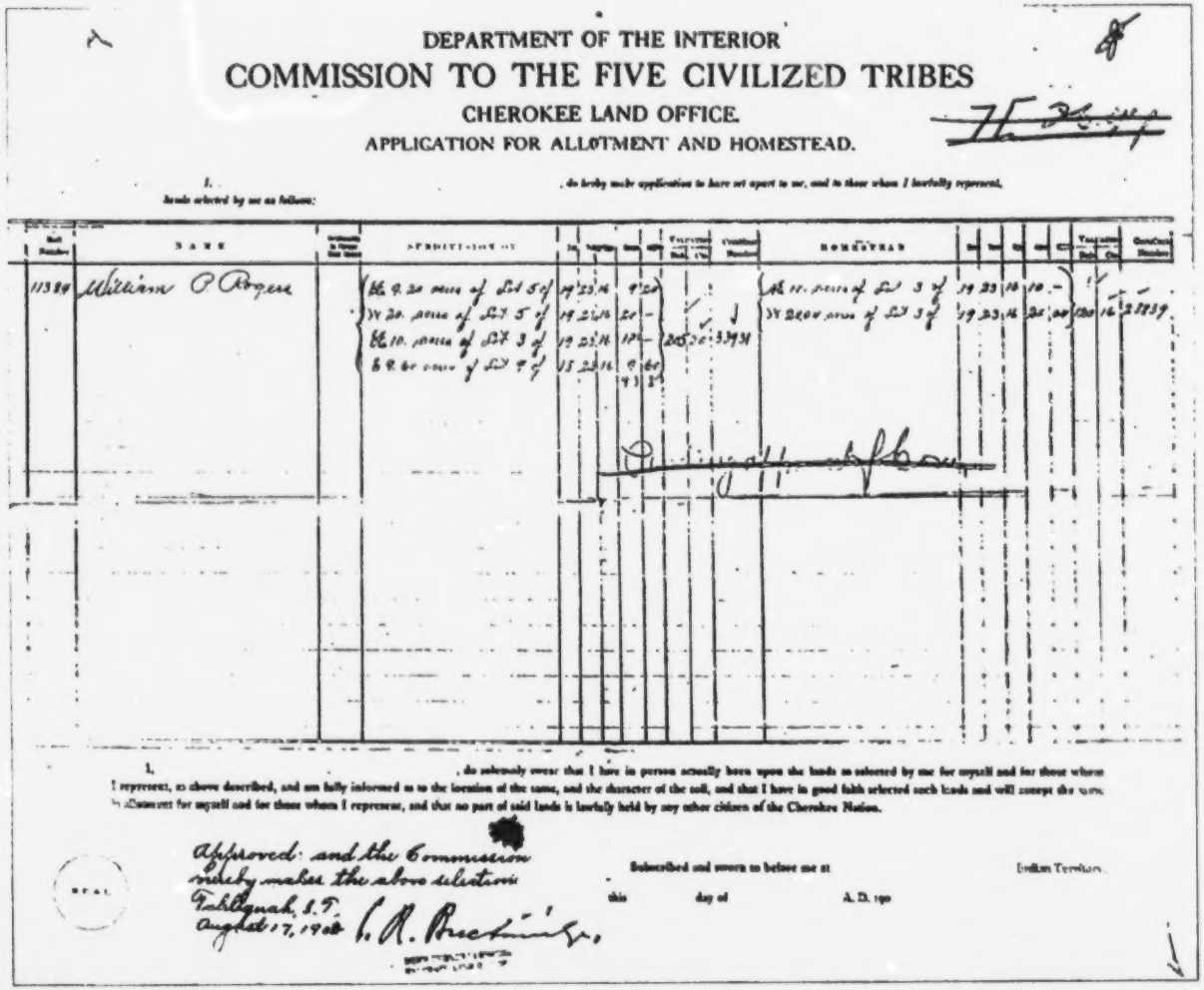

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

CHEROKEE LAND OFFICE.

APPLICATION FOR ALLOTMENT AND HOMESTEAD.

I,

lands selected by me as follows:

, do hereby make application to have set apart to me, and to those whom I lawfully represent,

Roll Number	NAME	DESCRIPTION OF LAND	Sec.	Twp.	Rge.	Cultivated	Uncultivated	HOMESTEAD	Sec.	Twp.	Rge.	Cultivated	Uncultivated
11389	William P Rogers	NE 9.20 acres of Lot 5 of	19	23	16	9.20		NE 10. acres of Lot 3 of	19	23	16	10.	
		W 20. acres of Lot 5 of	19	23	16	20.		W 200 acres of Lot 3 of	19	23	16	20.	200.
		NE 10. acres of Lot 3 of	19	23	16	10.						240.	160.
		S 9.60 acres of Lot 7 of	13	23	16	9.60							
						93.80							

I, , do solemnly swear that I have in person actually been upon the lands as selected by me for myself and for those whom I represent, as above described, and am fully informed as to the location of the same, and the character of the soil, and that I have in good faith selected such lands and will accept the same for settlement for myself and for those whom I represent, and that no part of said lands is lawfully held by any other citizen of the Cherokee Nation.

SEAL

Approved: and the Commission hereby makes the above selections

Tahlequah, I.T. August 17, 1900 C. R. Breckinridge

Subscribed and sworn to before me at Indian Territory

this day of A. D. 190

Document 4: Application for Allotment and Homestead from Will Rogers's application for enrollment in the Five Civilized Tribes

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